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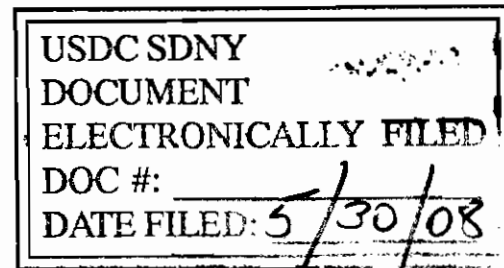
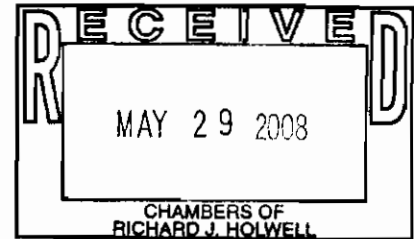
VIA OVERNIGHT MAIL

May 28, 2008

Honorable Justice Richard J. Howell  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Ileen Laboy v. Pathmark Stores, Inc.  
Docket #: 07CV2984(RH)

Dear Honorable Sir:



Please allow this letter to serve as the undersigned's formal request for an extension of time for at least forty-five (45) days in order to file the Joint Pre-Trial Order for the following reasons.

Since the last Discovery Conference, we have had an exchange of additional records and medical authorizations, together with a further deposition of the Plaintiff, our client, which was held last week on May 22, 2008.

Unfortunately, discovery has nevertheless been delayed because our client was unable to undergo her physical examination as scheduled by Defendant's examining physician. On the day of the scheduled physical, while awaiting her examination, our client was suddenly called away because her mother had to be rushed to the hospital and our client, the next of kin, had to accompany her. We have since placed a phone call to the examining physician and are awaiting a response as to the rescheduling of this physical.

In light of the foregoing, we are unable to complete the Joint Pre-Trial Order without the benefit of this examination which the Defendant also needs in order to complete their evaluation and respond to our settlement demand.

Thus, so as not to prejudice the Defendant since the delay was through no fault of their own, and in light of the sudden emergency faced by our client, we respectfully ask the deadline be adjourned for at least forty-five (45) days.

Re: Ileen Laboy v. Pathmark Stores, Inc.  
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Thank you so much for your time and consideration to this matter.

Respectfully yours,

LEVINE & GROSSMAN



Frank Torres

FT/ad

cc: Kral, Clerkin, Redmond, Ryan,  
Perry & Girvan  
Attn: John J. Ullrich, Esq.  
Via Regular Mail and Fax

A telephone conference  
will be held on June 6,  
2008 at 10:00 a.m.  
to consider plaintiff's  
request. Plaintiff's counsel  
to initiate the call.

SO ORDERED



USDT

5/31/08